

Appl. No. 09/886,830
Amendment and/or Response
Reply to Office action of 25 August 2004

Page 6 of 7

REMARKS / DISCUSSION OF ISSUES

Claims 1-14 are pending in the application.

The Office action rejects claims 1-14 under 35 U.S.C. 102(a) over Komuro (EP 0930556). The applicant respectfully traverses this rejection.

The Examiner's attention is requested to MPEP 2131, wherein it is stated:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)."

Each of the independent claims 1, 13, and 14 specifically claims maintaining a contact count that specifies the number of times another entity has attempted to communicate with the given entity, and deleting entities from a contact list based on this count.

Komuro does not teach maintaining a count that specifies the number of times another entity has attempted to communicate with the given entity, and does not teach deleting entities from a contact list based on this count.

The Office action notes that Komuro teaches that the connection device ID table stores the device IDs of other entities according to how recent the connection was made, and asserts that this teaching corresponds to maintaining a count of the number of times a corresponding entity has attempted to communicate with the given entity. The applicant respectfully disagrees with this assertion.

Komuro's list management is based on the duration since an entity has attempted to communicate with the given entity, and not the number of times that the entity has attempted to communicate with the given entity, as specifically claimed by the applicant. That is, Komuro's list contains the most recent entities that have attempted to communicate with the given entity, and not the entities that have most often attempted to communicate with the given entity.

Appl. No. 09/686,830
Amendment and/or Response
Reply to Office action of 25 August 2004

Page 7 of 7

Because Komuro fails to teach maintaining a count of the number of times an other entity attempts to communicate with the given entity, and because Komuro fails to teach removing entities from a contact list based on the number of times an entity attempts to communicate with the given entity, as specifically claimed by the applicant, the applicant respectfully requests the Examiner's reconsideration of the rejection of claims 1-14 under 35 U.S.C. 102(a) over Komuro.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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